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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Stuart Mandel Garland

Garland 42-49-3-13

9056

7590

05/07/2004

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EXAMINER

GANTT, ALAN T

ART UNIT

PAPER NUMBER

2684

7

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/520,861

Applicant(s)

GARLAND ET AL.

Examiner

Alan T. Gantt

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,9-12,14-16 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 6-8, 17-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 2/24/04 have been fully considered but they are not persuasive. Applicant primarily argues that:

(a) The Nguyen reference teaches an arrangement that has all the extension wireless telephones need not be in the same geographical area as the primary terminating wireless phone, but all the phones are alerted and the call is completed to the phone that answers first and the originator of the call does not select the particular extension to which the individual wishes to connect. Nguyen does not accomplish the goal of establishing a connection between a server system and a selected wireless device.

Regarding (a), applicant has amended his independent claims to successfully overall the deficiencies of Nguyen noted above. Further there were discussions between the applicant's representative and the examiner to put the amended claims in a better condition for allowance with the applicant offering alternative claim language to meet this purpose. However, in the follow up examination art was found that seems to read on the claim language as presented in the amendment as well as the proposed language that was thought would put the application in better condition for allowance. Thus, since the discovered prior art may sufficiently read on either version of the amended claims, this Response is presented for the claim language as presented with applicant's Amendment as filed. It would appear that with prior art offered with this Office Action, the applicant's invention as represented with the current claim language may not

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sufficiently distinguish itself from the new prior art to put the application into condition for allowance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, 9-12, 14-16, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuey et al., in view of Farah et al.

Regarding claim 1, Shuey discloses an automatic meter reading system employing a common broadcast command channel and, thus, an Apparatus for establishing a connection between a server system and a selected wireless device, comprising:

infrastructure of a Public Switched Telephone Network [PSTN] and a cellular wireless communication network; (col. 6, line 63 to col. 7, line 17 [allows for RF transceiver to be connected to cellular digital packet data network node which provides for connection to a PSTN])

means for connecting a server system to said infrastructure (Figure 2, col. 5, lines 20-42).

Shuey does not provide aspects of applicant's invention that require multiple phones to utilize the same mobile identification number (MIN).

Farah discloses a system and method permits multiple uniquely identifiable handsets to use the same mobile identification number. The system uses an extended MIN parameter (EMIN) that includes the MIN identifying a plurality of wireless phones and an extension code identifying the specific wireless phone within the plurality of wireless phones that include this MIN. An adjunct processor that generates control codes according to a network-based profile identified by the EMIN and a mobile switching center that activates a service plan according to the control codes thereby provides access to the individual wireless phone (col. 1, lines 41-52).

Farah meets the following limitations:

wherein a plurality of wireless cellular devices are associated with a single directory number, (col. 1, lines 41-52)

wherein a call originated by said server system, said Server system providing a mobile identification number of said selected cellular device; (col. 3, lines 16-24 {If the server is assigned the same MIN as the selected cellular device, Farah provides a procedure that permits connection})

said infrastructure comprising Home Location Register means for storing tabular data for deriving a mobile identification number from said information received from said server system (col. 5, line 40 to col.6, line 6 [Farah does not call out the HLR, but makes use of an MSC in a manner consistent with HLR functioning])

wherein on a call originated by said server system, only the selected wireless cellular device having said mobile identification number is alerted and connected to said server system. (col. 1, lines 41-52)

Shuey and Farah are combinable because they share a common endeavor, namely radiocommunications. At the time of the applicant's invention it would have been obvious to modify Shuey to provide enhance MINs to an MSC as done by Farah in order to permit connection between the server and individual cellular devices.

Regarding claim 12, Shuey discloses an automatic meter reading system employing a common broadcast command channel and, thus, a method for establishing a connection between a server system and a selected wireless device, comprising:

Connecting said server system to a Public Switched Telephone Network [PSTN] and a cellular wireless communication network; (col. 6, line 63 to col. 7, line17 [allows for RF transceiver to be connected to cellular digital packet data network node which provides for connection to a PSTN])
(Figure 2, col. 5, lines 20-42).

Shuey does not provide aspects of applicant's invention that require multiple phones to utilize the same mobile identification number (MIN).

Farah discloses a system and method permits multiple uniquely identifiable handsets to use the same mobile identification number. The system uses an extended MIN parameter (EMIN) that includes the MIN identifying a plurality of wireless phones and an extension code identifying the specific wireless phone within the plurality of wireless phones that include this MIN. An adjunct processor that generates control codes according to a network-based profile identified by the EMIN and a mobile switching center that activates a service plan according to

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the control codes thereby provides access to the individual wireless phone (col. 1, lines 41-52).

Farah meets the following limitations:

said server system providing information for deriving a mobile identification number, (Figure 2, col. 5, lines 20-42 {this assumes the server has the same MIN as the other devices and follows the procedure for the outbound call process of Figure 5}).

storing tabular data describing characteristics of said wireless cellular device in home location register means of said cellular wireless communication network; (col. 5, line 40 to col.6, line 6)

accessing said tabular data via said mobile identification number derived from said information of said selected wireless device, (col. 5, line 40 to col.6, line 6 [Farah does not call out the HLR, but makes use of an MSC in a manner consistent with HLR functioning])

wherein on a call originated by said server system, only the selected wireless cellular device having said mobile identification number is alerted and connected to said server system (col. 1, lines 41-52).

Shuey and Farah are combinable because they share a common endeavor, namely radiocommunications. At the time of the applicant's invention it would have been obvious to modify Shuey to provide enhance MINs to an MSC as done by Farah in order to permit connection between the server and individual cellular devices.

Regarding claims 3 and 14, Farah meets the limitation - The apparatus of Claim 1, wherein said single directory number is a directory number of said server system. (With the server sharing the same MIN as the devices, the same single directory number would apply)

Regarding claims 4 and 15, Farah meets the limitation - The apparatus of Claim 1, wherein all wireless cellular devices served by a server system are associated with a common directory number. (Farah provides a procedure for all cellular devices having the same MIN and receiving inbound calls - col. 6, lines 24-36)

Regarding claims 5, 9, 16, and 20, the examiner takes Official Notice that it is well known to utilize an international mobile switching identifier (IMSI) as a mobile identification number and it would have been obvious to modify the Shuey / Farah combination to utilize an IMSI for those devices away from the home mobile switching station.

Regarding claims 10 and 21, the examiner takes Official Notice that it is well known for the HLR means to be adapted to be responsive to a location request message comprising a MIN as a search parameter and that it would have been obvious to modify the Shuey / Farah combination to utilize the MIN as a search parameter as such would help determine from the HLR which VLR send a routing request for the desired MIN.

Regarding claims 11 and 22, the examiner takes Official Notice that it is well known that large accounts utilize ISDN lines and it would have been obvious for the Shuey /Farah combination to utilize ISDN lines for connecting the exchange connecting to many wireless telemetry devices for the purpose of better managing the wireless devices.

Allowable Subject Matter

Claims 6-8 and 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 6 and 17, an apparatus for establishing a connection between a server and a selected wireless device where the server providing information comprising a terminating directory number plus an originating directory number was neither found, suggested, nor made evident by the prior art.

Regarding claims 8 and 19, an apparatus for establishing a connection between a server and a selected wireless device where the server provides information comprising a terminating directory number and call type was neither found, suggested, nor made evident by the prior art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (703) 305-0077. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.


Alan T. Gantt

May 2, 2004


NAY MAUNG
SUPERVISORY PATENT EXAMINER